

REMARKS

The Examiner has rejected claims 1-6 under 35 U.S.C. §103(a) as being unpatentable over Green et al. (US 2002/01543641), hereinafter Green. After careful consideration, the Applicants respectfully disagree with the position being taken by the Examiner. In particular, Green teaches a signaling system having a central distribution system 1, a plurality of local distribution nodes 3, and various user terminals 7. The signaling system of Green communicates video signals between the central distribution system 1 and the various user terminals 7 using a combination of wired and wireless based communications as shown in Fig. 1. Specifically, the central distribution system 1 and the local distribution nodes 3 communicate by a wired connection established by a bundle of optical fibres 5. The communication between the local distribution nodes 3 and the user terminals 7 takes place wirelessly.

In addition, Green also sets forth two types of signals that are transmitted by the signaling system. One type of signal comprises optical data, such as status reports that are transmitted between the local distribution nodes 3 and the central distribution system 1 through the wired connection provided by the optical fibre bundle 5, as disclosed in paragraph [0027] of Green. The other type of signal comprises the optical beam 15 that may carry a message 12 as disclosed in paragraph [0029] of Green. The message 12 includes a desired television channel, as disclosed in paragraph [0032] of Green. Green also teaches at paragraph [0032] that a user unit 39 maintained by each user terminal 7 receives an input from a user, which indicates the selection of a desired television channel via a remote control unit. The user unit 39 then generates an appropriate message 12 carried by an optical beam 15 for transmittal to a retro-reflector and modem unit 13 that is maintained by the local distribution nodes 3 via the optical beam 15. As discussed in paragraph [0029] of Green, after the receipt of the message 12 at the retro-reflector and modem unit 13, the message is sent by the modem unit 13 to the communications control unit 11 of the local distribution node 3 where the message is processed and the appropriate action is taken.

The Examiner indicates that Green teaches a first communications apparatus (7) for transmitting a pilot beam (12). However, the message 12 discussed with regard to Green does not correspond to the pilot beam set forth in the claims 1 and 4 which is

used to match the optical axes of the first and second communications apparatuses recited therein. This is in contrast to Green, which sets forth that the message 12 is carried by the optical beam 15, but does not teach or suggest using the message 12 to have a match for the optical axes of the first and second communications apparatuses as recited in the Applicants' claims 1 and 4. Rather, Green teaches using the message 12 to transmit a desired television channel, and not to transmit a pilot beam that is used to match an optical axis of the first wireless communications apparatus and another optical axis of the second wireless communications apparatus.

Furthermore, the Examiner indicates that it is obvious that the axis must match in order for the Applicants' system to work, since optical signals are directional. However, Green does not teach or suggest anything regarding axis matching. Thus, Green does not teach or suggest a pilot beam that is used for axis matching as do Applicants' claims 1 and 4. Furthermore, Green does not teach or suggest a pilot beam that is modulated by a specific signal as in Applicants' claims 1 and 4. Thus, because each and every limitation of independent claims 1 and 4 is not taught or suggested by Green, the Applicants respectfully request that the rejection of claims 1 and 4 and respective claims 2-3 and 5-6 depending therefrom be reconsidered and withdrawn.

Regarding claims 2 and 5, the Examiner indicates that the remote control set forth at paragraph [0032] of Green is relevant. However, in the discussion at paragraph [0032] of Green, the message 12 is the remote control signal. Thus, based on the Examiner's interpretation, the message 12 is modulated by itself because the Examiner is incorrectly treating the message 12 as the pilot beam that is set forth in the Applicants' claims 1 and 6.

With regard to claims 3 and 6, the Examiner indicates that the local distribution node 3 can send status reports. As previously discussed, the status reports of Green are transmitted between the local distribution nodes 3 and the central distribution system 1 via the optical fibre bundle 5, and are never transmitted to the user terminals 7 through wireless communications. As such, the status reports cannot become the specific signal that carries information regarding the condition of the first communications apparatus or an apparatus connected thereto to modulate the pilot beam, as set forth in claims 3 and 6.

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In view of the foregoing, it is the Applicants' position that claims 1-6 are in condition for allowance. Reconsideration by the Examiner and the issuance of a formal Notice of Allowance is most earnestly solicited.

If any further issues remain after this amendment, a telephone call to the undersigned would be appreciated.

Respectfully submitted,

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